

United States Senate

WASHINGTON, DC 20510

February 4, 2016

The Honorable Gina McCarthy
Administrator
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, NW
Washington, DC 20460

Dear Ms. McCarthy,

We are writing to you today regarding the ongoing water quality crisis in Flint, Michigan. As you are aware, residents in the City of Flint have for some time now been exposed to hazardous amounts of lead as a result of a tainted water supply. The State of Michigan has received extensive scrutiny on this matter for their failure to notify the public of and take action to rectify this health hazard, despite having known of its existence for some time.

It has come to our attention that the Environmental Protection Agency (EPA), under your leadership, also had prior knowledge of the contaminated drinking water and refused to take action in notifying the public. In fact, EPA circulated a germane in-house memorandum on June 24, 2015.^[1] The stated mission of the EPA is to “protect human health and the environment”,^[2] yet the agency’s failure to notify Flint residents that their drinking water was unsafe is a clear deviation from that mission.

For all intents and purposes, you have placed all accountability for your agency’s failures on your Region 5 Administrator, a role formerly held by Susan Hedman. By accepting her immediate resignation and subsequently calling for an Inspector General evaluation, you are strongly implying you had no knowledge of the water contamination. On January 18, 2016 when asked about the water crisis in Flint, Michigan you said, “EPA did its job but clearly the outcome was not what anyone would have wanted.” As you have alluded to before, leadership starts with you. It certainly appears that the EPA did not take action, or at a minimum, alert citizens about the lead contamination.

In light of this and to prevent similar hazardous mistakes in the future, we are formally requesting that you provide our offices with all correspondence and memorandum, written and digital, pertaining to the water crisis in Flint, Michigan between:

^[1] <http://www.aclumich.org/sites/default/files/Original%20EPA%20memo.%20062514.pdf>

^[2] <http://www.epa.gov/aboutepa/our-mission-and-what-we-do>

1. The offices of Administrator McCarthy and former EPA Region 5 Administrator Hedman that pertains to the water crisis in Flint, Michigan.
2. The offices of Administrator McCarthy and the Michigan Department of Environmental Quality.
3. The offices of Administrator McCarthy and the City of Flint Michigan.

Additionally, please provide answers to, and all available supporting documentation, for the following questions:

1. When were you first briefed on the June 24, 2015 memo?
2. Who conducted the briefing? Did Regional Administrator Hedman participate?
3. When did Regional Administrator Hedman first discuss the Flint situation with you and/or senior EPA staff?
4. When did the EPA Office of Water first make you aware of the situation in Flint?

Please comply with this request no later than March 3, 2015.

Sincerely,



David Vitter
United States Senate



James M. Inhofe
United States Senate



John Cornyn
United States Senate